

Senate File 543 - Introduced

SENATE FILE _____
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 1311)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the state interagency Missouri river
2 authority, by providing for the participation in or withdrawal
3 from interstate associations, providing for the appointment of
4 a vice chairperson, and providing for duties of member
5 agencies.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 2837SV 82
8 da/je/5

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1 1 Section 1. Section 28L.1, Code 2007, is amended to read as
1 2 follows:
1 3 28L.1 STATE INTERAGENCY MISSOURI RIVER AUTHORITY CREATED
1 4 == DUTIES.
1 5 ~~1. A state interagency Missouri river authority is~~
1 6 ~~created.~~
1 7 ~~1. a. The members of the authority shall include are the~~
1 8 ~~governor or the governor's designee, and representatives of~~
1 9 ~~interested state agencies which include the secretary of~~
1 10 ~~agriculture or the secretary's designee, the chairperson of~~
1 11 ~~the utilities board or the chairperson's designee, and the~~
1 12 ~~directors of the department of natural resources, the state~~
1 13 ~~department of transportation, and the department of economic~~
1 14 ~~development or the directors' designees.~~
1 15 ~~b. The governor or the governor's designee shall serve as~~
1 16 ~~chairperson. The vice chairperson shall be appointed by the~~
1 17 ~~authority each year from the representatives of the interested~~
1 18 ~~state agencies on a rotating basis as provided by the~~
1 19 ~~authority's rules. The director of the department of natural~~
1 20 ~~resources vice chairperson's agency shall serve as the~~
1 21 ~~coordinator of the authority's activities and shall the vice~~
1 22 ~~chairperson shall serve as acting chairperson in the absence~~
1 23 ~~of the governor or the governor's designee.~~
1 24 2. The state interagency Missouri river authority shall be
1 25 responsible for representing the interests of this state ~~with~~
1 26 ~~regard to its membership in the Missouri river basin~~
1 27 ~~association and to promote for purposes of promoting the~~
1 28 ~~management of the Missouri river in a manner that does not~~
1 29 ~~negatively impact positively impacts landowners along the~~
1 30 ~~river or negatively impact, the natural resources of the river~~
1 31 ~~and along the river, and the state's economy. The Missouri~~
1 32 ~~river basin association is an authority may participate in or~~
1 33 ~~withdraw from any interstate association of government~~
1 34 ~~representatives formed to seek consensus solutions to issues~~
1 35 ~~impacting the Missouri river basin.~~
2 1 3. a. The authority shall not participate in or withdraw
2 2 ~~from an interstate association, unless by majority vote of the~~
2 3 ~~representatives of the interested state agencies.~~
2 4 b. As chairperson of the authority, the governor or the
2 5 governor's designee shall only vote in the event that a simple
2 6 majority cannot be achieved by the other members of the
2 7 authority, on all matters of policy, including Iowa's
2 8 participation in or withdrawal from, any interstate
2 9 association the authority members may recommend.
2 10 c. The state interagency Missouri river authority shall
2 11 ~~not only~~ vote to approve or disapprove a substantive proposal
2 12 or action being considered by ~~the Missouri river basin an~~
2 13 ~~interstate association without the agreement by unanimous vote~~
2 14 ~~of the secretary of agriculture, the directors of all four~~
2 15 ~~three~~ state departments, and the chairperson of the utilities

2 16 board, or their designees, who are members of the authority.
2 17 If a substantive proposal or action considered by ~~the~~ an
2 18 interstate association is not approved or disapproved by ~~all~~
~~2 19 four~~ the secretary of agriculture, the directors of all three
2 20 state departments, and the chairperson of the utilities board,
2 21 or their designees, the state shall abstain from voting on the
2 22 proposal or action.
2 23 d. If the state of Iowa may exercise a right of cumulative
2 24 voting on any issue before an interstate association, it shall
2 25 not split its votes on that issue.

2 26 4. The state interagency Missouri river authority shall
2 27 meet regularly with stakeholder groups in this state to
2 28 receive their recommendations before substantive proposals or
2 29 actions are voted upon or to receive policy positions to
2 30 submit to ~~the Missouri river basin~~ an interstate association
2 31 in which it participates.

2 32 EXPLANATION

2 33 BACKGROUND. This bill amends provisions in Code section
2 34 28L.1 which creates the state interagency Missouri river
2 35 authority composed of the governor or the governor's designee
3 1 and the heads of a number of agencies or their designees
3 2 including the secretary of agriculture, the chairperson of the
3 3 utilities board, and the directors of the department of
3 4 natural resources, the state department of transportation, and
3 5 the department of economic development. The authority is
3 6 responsible for representing the interests of this state on
3 7 the Missouri river basin association and to promote the
3 8 management of the Missouri river in a manner that does not
3 9 negatively impact landowners along the river or negatively
3 10 impact the state's economy. The Code section provides that
3 11 the director of the department of natural resources serves as
3 12 the chairperson in the governor's absence, and the department
3 13 of natural resources serves as the coordinating agency for the
3 14 authority.

3 15 CHANGES. The bill provides that each agency representative
3 16 serves as vice chairperson of the authority on an annually
3 17 rotating basis, the vice chairperson acts as chairperson in
3 18 the absence of the governor or the governor's designee, and
3 19 the vice chairperson's agency acts as the coordinating agency
3 20 for the authority during the vice chairperson's tenure. The
3 21 bill provides that the authority by majority vote may
3 22 participate in or withdraw from any interstate association
3 23 representing issues affecting the Missouri river. The bill
3 24 provides that, as chairperson, the governor or the governor's
3 25 designee is not entitled to vote unless the other members'
3 26 votes end in a tie. The bill also provides that if Iowa has a
3 27 right of cumulative voting on an issue before the association,
3 28 it cannot split its vote.

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